

REMARKS

Applicant has carefully reviewed the Application in light of the Decision on Appeal transmitted April 17, 2008 (“*Decision*”). Applicant currently amends Claims 1, 9, 13 and 16 and cancels Claims 8 and 12 without prejudice or disclaimer. Claims 1-7, 9, 11, 13-17, 19 and 20 are thus now pending in the Application. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Previous Section 103 Rejections

Applicant respectfully traverses the rejection on the ground that *Colbourne, Delavaux, and Keys*, whether taken alone or in combination, fail to teach or suggest all limitations of the claims.

The Examiner previously rejected Claims 1-9, 11, 13-17, 19, and 20 under 35 U.S.C. §103(a) as unpatentable based on a proposed combination of U.S. Patent No. 6,654,564 issued to Colbourne et al. (“*Colbourne*”), U.S. Patent No. 5,608,562 issued to Delavaux et al. (“*Delavaux*”), and U.S. Patent No. 6,456,773 issued to Keys (“*Keys*”). The Examiner also previously rejected Claims 12 and 18 under 35 U.S.C. § 103(a) as unpatentable based on the proposed combination of *Colbourne, Delavaux, Keys*, and U.S. Patent Application Publication No. 2003/0031433 issued to Feinberg (“*Feinberg*”).

Applicant respectfully submits that the amendments to the claims place these claims in condition for allowance over the cited references. For example, Claim 1, as amended, recites:

A dispersion compensation system comprising:

a dispersion compensation module (DCM) operable to receive optical input and provide optical output having a negative dispersion relative to the optical input; and

a dispersion enhancement module (DEM) adapted to be optically coupled between the DCM and an optical fiber having a positive dispersion, the DEM operably including a plurality of dispersion enhancement fibers and operable to selectively increase the positive dispersion provided by the optical fiber by a selected one of a plurality of amounts and to provide the optical input to the DCM, the optical input having a positive dispersion substantially equal to the positive dispersion

of the optical fiber plus the selected one of the amounts of dispersion in the DEM; and

a controller operable to determine the negative dispersion of the DCM, to determine the positive dispersion of the optical fiber, and to determine the selected one of the amounts of dispersion in the DEM to provide the optical input having a positive dispersion substantially equal to an inverse of the negative dispersion of the DCM, the controller further operable to detect a switch from the optical fiber to a backup optical transport fiber, the backup transport fiber having a third positive dispersion, and to reconfigure the dispersion enhancement module to provide fourth positive dispersion, the sum of the third positive dispersion and the fourth positive dispersion substantially equal to the magnitude of the negative dispersion.

Applicant respectfully submits that none of the cited references, alone or in combination, teach the aspects of the controller specified in this claim, such as for determining configuration and reconfiguration dispersion values. Applicant has made similar amendments to the other independent claims. Applicant thus respectfully requests reconsideration and allowance of all pending claims.

CONCLUSION

Applicant has made an earnest attempt to place the Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of the Application in any manner, the undersigned Attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge \$810.00 as payment for the fee to file a Request for Continued Examination, any other fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS, L.L.P.
Attorneys for Applicant

K - P -
Kurt M. Pankratz
Registration No. 46,977
(214) 953-6584

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